

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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ALEXANDER FABRICS, LLLP,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No.
	:	
ROKA APPAREL PRODUCTS, LLC,	:	
	:	
Defendant.	:	

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**COMPLAINT**

Plaintiff, Alexander Fabrics, LLLP (“Alexander”), by way of Complaint against Defendant, RoKa Apparel Products, LLC (“RoKa” or “Defendant”), states and alleges as follows:

**INTRODUCTION**

1. This action arises from Defendant’s willful refusal to pay for goods sold and delivered by Alexander between February and April 2005, in violation of the terms of the parties’ agreement.

**JURISDICTION AND VENUE**

2. Alexander is a limited liability limited partnership formed under the laws of the State of North Carolina and having its principal place of business in the state of North Carolina.

3. RoKa is a limited liability company formed under the laws of the State of Delaware, having its principal place of business in the State of Florida.

4. The matter in controversy exceeds, exclusive of interest and costs, the sum specified by 28 U.S.C. §1332, and therefore the Court has diversity jurisdiction over this matter pursuant to 28 U.S.C. §1332.

5. Venue is proper in this Court pursuant to 28 U.S.C. § 1331(a), (c), in that Defendant is a limited liability company formed under the laws of the State of Delaware.

#### THE PARTIES

6. Alexander is a North Carolina limited liability limited partnership with its principal place of business located at 1311 Industry Drive, Burlington, North Carolina. Alexander is involved in the textile industry, specializing in the sale of fabric to garment manufacturers.

7. RoKa is a Delaware limited liability company with its principal place of business at 9487 Regency Square Boulevard North, Jacksonville, Florida. RoKa is a manufacturer of various types of textile garments and undergarments.

#### FACTS COMMON TO ALL COUNTS

8. Pursuant to multiple purchase orders issued by RoKa, Alexander shipped various styles and colors of a customized fabric (the "Fabric") to Defendant between February and April 2005 to be used in the manufacture of their products.

9. All of the Fabric was accepted by Roka. RoKa has either sold the Fabric, or continues to retain the sole and exclusive possession of the Fabric.

10. On several occasions, RoKa acknowledged the total debt owed to Alexander for the Fabric, but stated it could not make payment due to severe financial difficulties. RoKa informed Alexander that it was involved in negotiations with other trade creditors to pay off its debts at a fraction of what was owed and had retained a New York based management firm to assist them in negotiating these trade creditor settlements.

11. Despite Alexander's demand for payment and RoKa's acknowledgment of the debt, RoKa has refused to pay for the Fabric delivered by Alexander.

**COUNT ONE – BREACH OF CONTRACT**

12. Alexander repeats and realleges each and every allegation contained in the prior paragraphs of its Complaint as if set forth fully herein.

13. There is a valid and enforceable agreement between the parties, to wit, Alexander would deliver specified quantities of fabric to Defendant, and Defendant would make payment for said fabric to Alexander.

14. To date, Defendant has failed and refused to pay for the Fabric delivered by Alexander, which Defendant has either sold or still holds in its possession.

15. Defendant's failure to pay for the Fabric sold and delivered constitutes a breach of the parties' agreement.

16. Currently, Defendant owes Alexander \$152,238.55 for the Fabric sold and delivered.

17. As a direct and proximate result of Defendant's breach of contract, Alexander has and will continue to suffer substantial monetary damages.

**COUNT TWO – BOOK ACCOUNT**

18. Alexander repeats and realleges each and every allegation contained in the prior paragraphs of its Complaint as if set forth fully herein.

19. As reflected in Alexander's books and business records, there is presently due and owing from Defendant to Alexander the sum of \$152,238.55. Invoices evidencing the shipments of Fabric to RoKa and amounts outstanding are attached hereto as Exhibit A.

20. Alexander has made numerous demands for payment of the outstanding balance and Defendant has failed and refused to make payment.

21. As a result of Defendant's failure to make payment to Alexander, Defendant owes Alexander an outstanding balance of \$152,238.55.

**COUNT THREE – UNJUST ENRICHMENT**

22. Alexander repeats and realleges each and every allegation contained in the prior paragraphs of its Complaint as if set forth fully herein.

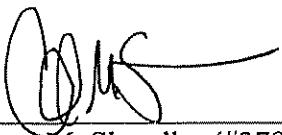
23. Alexander delivered the Fabric to Roka with the reasonable expectation that it would be timely compensated for same by Roka.

24. Roka understood that Alexander reasonably expected to be compensated for the Fabric it delivered.

25. Despite Alexander's repeated demands for payment, Defendant has failed and refused to pay for the Fabric and continues to maintain possession and control over the Fabric or the proceeds from its sale.

WHEREFORE, Plaintiff, Alexander Fabrics, LLLP, hereby requests judgment against Defendant, RoKa Apparel Products, LLC, as follows:

- A. Damages in an amount to be determined at trial;
- B. Reasonable attorneys' fees;
- C. Pre- and post-judgment interest;
- D. Costs of suit; and
- E. Such other and further relief as the Court deems just and proper under the circumstances.



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Chad M. Shandler (#3796)  
Steven J. Fineman (#4025)  
Gregory E. Stuhlman (#4765)  
Richards, Layton & Finger  
One Rodney Square  
P. O. Box 551  
Wilmington, DE 19801  
(302)651-7700

DATED: March 26, 2007

*Attorneys for Plaintiff  
Alexander Fabrics, LLP*

**EXHIBIT A**

## Alexander Fabrics

POST OFFICE BOX 147  
BURLINGTON, NORTH CAROLINA 27216-0147  
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## INVOICE

INVOICE NUMBER: 0022999

INVOICE DATE: 2/01/2005

PAGE: 1

**SOLD** ROKA APPAREL PRODUCTS, LLC  
**TO** 9487 REGENCY SQUARE BLVD. N  
JACKSONVILLE, FL 322250000

**SHIP TO** ROKA APPAREL PRODUCTS  
C/O CROWLEY LOGISTICS, INC.  
4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0028987  
TERMS NET 60  
SHIP VIA WATKINS TRUCK  
SHIP DATE 2/01/2005

**PO NUMBER** R357928  
**PO DATE** 12/22/2004  
**CONTRACT #** 0008564-000  
**SALESMAN** DAVID BLOOM

Alexander Fabrics

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4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0028988  
TERMS NET 60  
SHIP VIA WATKINS TRUCK  
SHIP DATE 2/01/2005

**PO NUMBER** R357926  
**PO DATE** 12/22/2004  
**CONTRACT #** 0008562-000  
**SALESMAN** DAVID BLOOM

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4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0029282  
TERMS NET 90  
SHIP VIA WATKINS TRUCK  
SHIP DATE 2/11/2005

**PO NUMBER** R358473  
**PO DATE** 1/24/2005  
**CONTRACT #** 0008813-000  
**SALESMAN** DAVID BLOOM

**Alexander Fabrics**

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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0029283  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 2/11/2005

PO NUMBER R357928  
 PO DATE 12/22/2004  
 CONTRACT # 0008564-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 1209 01302 GPB PALE BLUSH GPB GPB PALE BLUSH  SHADE: 10	0020687000000	3	YD SY LB	213 .0 544 .3 78 .2	3 .000	639 .00
	SUBTOTAL			213 .0		639 .00
	TOTAL			213 .0		639 .00
<u>Send Remittance To:</u> ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

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JACKSONVILLE, FL 32219

<b>BOL</b>	0029284	<b>PO NUMBER</b>	R357927
<b>TERMS</b>	NET 60	<b>PO DATE</b>	12/22/2004
<b>SHIP VIA</b>	WATKINS TRUCK	<b>CONTRACT #</b>	0008563-000
<b>SHIP DATE</b>	2/11/2005	<b>SALESMAN</b>	DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 8062 01302 ATW TRUE WHITE ATW ATW TRUE WHITE  SHADE: 10	0020934000000	17	YD SY LB	1585 .0 4050 .6 569 .8	3 000	4755 .00
	SUBTOTAL			1585 .0		4755 .00
	TOTAL			1585 .0		4755 .00
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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

**BOL** 0029461  
**TERMS** NET 60  
**SHIP VIA** WATKINS TRUCK  
**SHIP DATE** 2/17/2005

**PO NUMBER** R358647  
**PO DATE** 1/31/2005  
**CONTRACT #** 0008910-000  
**SALESMAN** DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 5816 01302 AUB RICH BLACK AUB AUB RICH BLACK  SHADE: 30	0020943000001	5	YD SY LB	458 0 1170 4 154 .1	3.280	1502.24
	SUBTOTAL			458.0		1502.24
	TOTAL			458.0		1502.24
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BOL	0029463	PO NUMBER	R356665
TERMS	NET 60	PO DATE	2/17/2005
SHIP VIA	WATKINS TRUCK	CONTRACT #	0009123-000
SHIP DATE	2/17/2005	SALESMAN	DAVID BLOOM

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INVOICE DATE: 2/25/2005

PAGE: 1

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JACKSONVILLE, FL 32219

BOL 0029640  
TERMS NET 60  
SHIP VIA WATKINS TRUCK  
SHIP DATE 2/25/2005

**PO NUMBER** R357928  
**PO DATE** 12/22/2004  
**CONTRACT #** 000B564-000  
**SALESMAN** DAVID BLOOM

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INVOICE NUMBER: 0023777

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 TO            C/O CROWLEY LOGISTICS, INC.  
                 4222 JAMES E CASEY DR.

JACKSONVILLE, FL 32219

BOL            0029641  
 TERMS        NET 60  
 SHIP VIA    WATKINS TRUCK  
 SHIP DATE   2/25/2005

PO NUMBER R358616  
 PO DATE 1/31/2005  
 CONTRACT # 0008909-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0        5445 01302 AIV ANTIQUE IVORY AIV AIV ANTIQUE IVORY  SHADE: 10	0020944000000	17	YD SY LB	1551 .0 3963 .7 485 0	3 000	4653 .00
	SUBTOTAL			1551 0		4653 .00
	TOTAL			1551 0		4653 00
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INVOICE NUMBER: 0024246

INVOICE DATE: 3/11/2005

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JACKSONVILLE, FL 32219 .

<b>BOL</b>	0030158	<b>PO NUMBER</b>	R359162
<b>TERMS</b>	NET 60	<b>PO DATE</b>	2/14/2005
<b>SHIP VIA</b>	WATKINS TRUCK	<b>CONTRACT #</b>	0009081-000
<b>SHIP DATE</b>	3/11/2005	<b>SALESMAN</b>	DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
4637 0 5816 43520 AUB RICH BLACK AUB AUB RICH BLACK  SHADE: 30	0021180000000	2	YD SY LB	2225.0 3955.6 558.2	3.700	8232.50
	SUBTOTAL			2225.0		8232.50
	TOTAL			2225.0		8232.50
<u>Send Remittance To:</u> ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

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INVOICE NUMBER: 0024247

INVOICE DATE: 3/11/2005

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BOL 0030159  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 3/11/2005

PO NUMBER R359160  
 PO DATE 2/14/2005  
 CONTRACT # 0009080-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
4637 0 7960 43520 AH7 EGGSHELL AH7 AH7 EGGSHELL  SHADE: 10	0021181000000	1	YD SY LB	1006.0 1788.4 291.0	3.910	3933.46
		SUBTOTAL		1006.0		3933.46
		TOTAL		1006.0		3933.46
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INVOICE DATE: 3/18/2005

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 C/O CROWLEY LOGISTICS, INC.  
 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030327  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 3/18/2005

PO NUMBER R359145  
 PO DATE 2/14/2005  
 CONTRACT # 0009079-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 1209 01301 GPB PALE BLUSH GPB GPB PALE BLUSH  SHADE: 10	0021410000000	24	YD SY LB	2359.0 7535.7 1005.6	3 170	7478.03
	SUBTOTAL			2359.0		7478.03
	TOTAL			2359.0		7478.03
<b>Send Remittance To:</b>						
ALEXANDER FABRICS P O BOX 751597 CHARLOTTE, NC 28275						

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## PROOF

ALEXANDER FABRICS INC.

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INVOICE NUMBER: 0024546

INVOICE DATE: 3/22/2005

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**TO** C/O CROWLEY LOGISTICS, INC.  
4222 JAMES E. CASEY DR.  
JACKSONVILLE, FL 32219

BOL 0030427  
TERMS NET 60  
SHIP VIA WATKINS TRUCK  
SHIP DATE 3/22/2005

**PO NUMBER** R358647  
**PO DATE** 1/31/2005  
**CONTRACT #** 0008910-000  
**SALESMAN** DB

## PROOF

ALEXANDER FABRICS INC.

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INVOICE NUMBER: 0024547

INVOICE DATE: 3/22/2005

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4222 JAMES E CASEY DR.  
JACKSONVILLE, FL 32219

BOL 0030428  
TERMS NET 60  
SHIP VIA WATKINS TRUCK  
SHIP DATE 3/22/2005

**PO NUMBER** R359144  
**PO DATE** 2/14/2005  
**CONTRACT #** 0009078-000  
**SALESMAN** PB

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INVOICE NUMBER: 0024612

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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

**BOL** 0030474  
**TERMS** NET 60  
**SHIP VIA** WATKINS TRUCK  
**SHIP DATE** 3/23/2005

**PO NUMBER** R359145  
**PO DATE** 2/14/2005  
**CONTRACT #** 0009079-000  
**SALESMAN** DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 1209 01301 GPB PALE BLUSH GPB GPB PALE BLUSH  SHADE: 10	0021671000000	4	YD SY LB	412 0 1316 .1 187 0	3 170	1306 04
	SUBTOTAL			412 0		1306.04
	TOTAL			412 0		1306.04
<u>Send Remittance To:</u> ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

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INVOICE DATE: 3/23/2005

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 C/O CROWLEY LOGISTICS, INC.  
 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030475  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 3/23/2005

PO NUMBER R359432  
 PO DATE 3/08/2005  
 CONTRACT # 0009361-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	#Pieces	U/M	Quantity	Price	Amount
3232/115 0 5910 AIA PINK TUNE 01301 AIA PINK TUNE  SHADE: 10	0021688000000	11	YD SY LB	1036.0 3309.4 436.6	3 170	3284.12
	SUBTOTAL			1036.0		3284.12
	TOTAL			1036.0		3284.12
<u>Send Remittance To:</u> ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

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INVOICE NUMBER: 0024867

INVOICE DATE: 4/01/2005

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JACKSONVILLE, FL 32219

<b>BOL</b>	0030696	<b>PO NUMBER</b>	R359145
<b>TERMS</b>	NET 60	<b>PO DATE</b>	2/14/2005
<b>SHIP VIA</b>	WATKINS TRUCK	<b>CONTRACT #</b>	0009079-000
<b>SHIP DATE</b>	4/01/2005	<b>SALESMAN</b>	DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 1209 01301 GPB PALE BLUSH GPB GPB PALE BLUSH  SHADE: 10	0021410000001	21	YD SY LB	2055.6 6566.5 900.8	3 170	6516.25
	SUBTOTAL			2055.6		6516.25
	TOTAL			2055.6		6516.25
<u>Send Remittance To:</u> ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

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INVOICE DATE: 4/01/2005

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**SHIP TO** ROKA APPAREL PRODUCTS  
 C/O CROWLEY LOGISTICS, INC.  
 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030697  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 4/01/2005

PO NUMBER R359144  
 PO DATE 2/14/2005  
 CONTRACT # 0009078-000  
 SALESMAN DAVID BLOOM

Product Information	Dye/Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5816 01301 AUB AUB AUB RICH BLACK  SHADE: 30	0021413000001	14	YD SY LB	1192.0 3807.8 536.8	3.540	4219.68
						4219.68
	SUBTOTAL			1192.0		
	TOTAL			1192.0		4219.68
<u>Send Remittance To:</u>						
ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

Alexander Fabrics

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INVOICE NUMBER: 0024869

INVOICE DATE: 4/01/2005

PAGE: 1

**SOLD** ROKA APPAREL PRODUCTS, LLC  
**TO** 9487 REGENCY SQUARE BLVD. N  
JACKSONVILLE, FL 322250000

**SHIP**           **ROKA APPAREL PRODUCTS**  
**TO**           **C/O CROWLEY LOGISTICS, INC.**  
                **4222 JAMES E. CASEY DR.**

JACKSONVILLE, FL 32219

BOL 0030698  
TERMS NET 60  
SHIP VIA WATKINS TRUCK  
SHIP DATE 4/01/2005

**PO NUMBER** R359143  
**PO DATE** 2/14/2005  
**CONTRACT #** 0009077-000  
**SALESMAN** DAVID BLOOM

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**INVOICE**

INVOICE NUMBER: 0025049

INVOICE DATE: 4/08/2005

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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030885  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 4/08/2005

PO NUMBER R358647  
 PO DATE 1/31/2005  
 CONTRACT # 0008910-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3126 0 5816 01302 AUB RICH BLACK AUB AUB RICH BLACK  SHADE: 30	0021921000000	5	YD SY LB	466.0 1190.9 166.8	3.280	1528.48
	SUBTOTAL			466.0		1528.48
	TOTAL			466.0		1528.48
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## INVOICE

INVOICE NUMBER: 0025050

INVOICE DATE: 4/08/2005

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4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030B87  
TERMS NET 60  
SHIP VIA WATKINS TRUCK  
SHIP DATE 4/08/2005

**PO NUMBER** R359432  
**PO DATE** 3/08/2005  
**CONTRACT #** 0009361-000  
**SALESMAN** DAVID BLOOM

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INVOICE NUMBER: 0025051

INVOICE DATE: 4/08/2005

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 4222 JAMES E. CASEY DR.

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BOL 0030893  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 4/08/2005

PO NUMBER R359144  
 PO DATE 2/14/2005  
 CONTRACT # 0009078-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5816 01301 AUB AUB AUB RICH BLACK  SHADE: 30	0021414000000	13	YD SY LB	1253.0 4002.6 487.8	3.540	4435.62
	SUBTOTAL			1253.0		4435.62
	TOTAL			1253.0		4435.62
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INVOICE NUMBER: 0025052

INVOICE DATE: 4/08/2005

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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0030895  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 4/08/2005

PO NUMBER R359144  
 PO DATE 2/14/2005  
 CONTRACT # 0009078-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5816 01301 AUB AUB AUB RICH BLACK  SHADE: 30	0021414000001	3	YD SY LB	245.0 782.6 94.4	3.540	867.30
	SUBTOTAL			245.0		867.30
	TOTAL			245.0		867.30
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## INVOICE

INVOICE NUMBER: 0025760

INVOICE DATE: 4/29/2005

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**SHIP** ROKA APPAREL PRODUCTS  
**TO** C/O CROWLEY LOGISTICS, INC.  
4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0031532  
TERMS NET 60  
SHIP VIA WATKINS TRUCK  
SHIP DATE 4/29/2005

**PO NUMBER** R358647  
**PO DATE** 1/31/2005  
**CONTRACT #** 0008910-000  
**SALESMAN** DAVID BLOOM

**Alexander Fabrics**

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INVOICE NUMBER: 0025761

INVOICE DATE: 4/29/2005

PAGE: 1

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JACKSONVILLE, FL 32219

<b>BOL</b>	0031533	<b>PO NUMBER</b>	R359142
<b>TERMS</b>	NET 60	<b>PO DATE</b>	2/14/2005
<b>SHIP VIA</b>	WATKINS TRUCK	<b>CONTRACT #</b>	0009075-000
<b>SHIP DATE</b>	4/29/2005	<b>SALESMAN</b>	DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5445 01301AIV AIV AIV ANTIQUE IVORY  SHADE: 10	0021418000000	50	YD SY LB	4882.9 15598.2 1913.2	3.170	15478.79
	SUBTOTAL			4882.9		15478.79
	TOTAL			4882.9		15478.79
<u>Send Remittance To:</u> ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						

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INVOICE NUMBER: 0025762

INVOICE DATE: 4/29/2005

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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0031534  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 4/29/2005

PO NUMBER R359143  
 PO DATE 2/14/2005  
 CONTRACT # 0009077-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 8062 01301 ATW TRUE WHITE ATW ATW TRUE WHITE  SHADE: 10	0021416000000	33	YD SY LB	3203 0 10231 .8 1350 4	3.170	10153.51
	SUBTOTAL			3203.0		10153.51
	TOTAL			3203.0		10153.51
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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0031535  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 4/29/2005

PO NUMBER R359143  
 PO DATE 2/14/2005  
 CONTRACT # 0009077-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 8062 01301 ATW TRUE WHITE ATW ATW TRUE WHITE  SHADE: 10	0021415000000	32	YD SY LB	3089.0 9867.6 1326.2	3.170	9792.13
	SUBTOTAL			3089.0		9792.13
	TOTAL			3089.0		9792.13

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 4222 JAMES E. CASEY DR.  
 JACKSONVILLE, FL 32219

BOL 0031536  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 4/29/2005

PO NUMBER R359143  
 PO DATE 2/14/2005  
 CONTRACT # 0009077-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 8062 01301 ATW TRUE WHITE ATW ATW TRUE WHITE  SHADE: 10	0021584000000	17	YD SY LB	1565.0 4999.3 662.3	3.170	4961.05
	SUBTOTAL			1565.0		4961.05
	TOTAL			1565.0		4961.05
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INVOICE NUMBER: 0025765

INVOICE DATE: 4/29/2005

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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0031537  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 4/29/2005

PO NUMBER R359144  
 PO DATE 2/14/2005  
 CONTRACT # 0009078-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 5816 01301 AUB AUB AUB RICH BLACK  SHADE: 30	0022101000000	6	YD SY LB	619.0 1977.4 274.8	3.540	2191.26
	SUBTOTAL			619.0		2191.26
	TOTAL			619.0		2191.26
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 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0031538  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 4/29/2005

PO NUMBER R359145  
 PO DATE 2/14/2005  
 CONTRACT # 0009079-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 1209 01301 GPB PALE BLUSH GPB GPB PALE BLUSH  SHADE: 10	0021411000001	22	YD SY LB	2161.9 6906.1 854.6	3.170	6853.22
	SUBTOTAL			2161.9		6853.22
	TOTAL			2161.9		6853.22
<u>Send Remittance To:</u>						
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INVOICE NUMBER: 0025767

INVOICE DATE: 4/29/2005

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 C/O CROWLEY LOGISTICS, INC.  
 4222 JAMES E. CASEY DR.

JACKSONVILLE, FL 32219

BOL 0031539  
 TERMS NET 60  
 SHIP VIA WATKINS TRUCK  
 SHIP DATE 4/29/2005

PO NUMBER R359145  
 PO DATE 2/14/2005  
 CONTRACT # 0009079-000  
 SALESMAN DAVID BLOOM

Product Information	Dye Lot/Order #	# Pieces	U/M	Quantity	Price	Amount
3232/115 0 1209 01301 GPB PALE BLUSH GPB GPB PALE BLUSH  SHADE: 10	0021411000000	30	YD SY LB	2980.3 9520.4 1167.0	3.170	9447.55
	SUBTOTAL				2980.3	9447.55
	TOTAL				2980.3	9447.55
<u>Send Remittance To:</u> ALEXANDER FABRICS P.O. BOX 751597 CHARLOTTE, NC 28275						



## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-44

## Authority For Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

**I. (a) Plaintiffs - Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title

**(b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved)

**(c) Attorneys.** Enter firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)"

**II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8 (a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below

United States plaintiff (1) Jurisdiction is based on 28 U.S.C. 1335 and 1338. Suits by agencies and officers of the United States are included here

United States defendant (2) When the plaintiff is suing the United States, its officers or agencies, place an X in this box

Federal question (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked

Diversity of citizenship (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

**III. Residence (citizenship) of Principal Parties.** This section of the JS-44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party

**IV. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause

**V. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section IV above, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive

**VI. Origin.** Place an "X" in one of the seven boxes

Original Proceedings (1) Cases which originate in the United States district courts

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C. Section 1441. When the petition for removal is granted, check this box

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date

Reinstated or Reopened (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date

Transferred from Another District (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers

Multidistrict Litigation (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above

Appeal to District Judge from Magistrate Judgment (7) Check this box for an appeal from a magistrate's decision

**VII. Requested in Complaint: Class Action.** Place an "X" in this box if you are filing a class action under Rule 23, F.R.C.P.

**Demand.** In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction

**Jury Demand.** Check the appropriate box to indicate whether or not a jury is being demanded

**VIII. Related Cases.** This section of the JS-44 is used to reference relating pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases

**Date and Attorney Signature.** Date and sign the civil cover sheet  
(rev. 07/89)

AO FORM 85 RECEIPT (REV. 9/04)

United States District Court for the District of Delaware

- 0 7 - 1 7 4 -

Civil Action No. \_\_\_\_\_

**ACKNOWLEDGMENT**  
**OF RECEIPT FOR AO FORM 85**

**NOTICE OF AVAILABILITY OF A**  
**UNITED STATES MAGISTRATE JUDGE**  
**TO EXERCISE JURISDICTION**

I HEREBY ACKNOWLEDGE RECEIPT OF 3 COPIES OF AO FORM 85.

3/26/07

(Date forms issued)

X Matthew Caporillo

(Signature of Party or their Representative)

X Matthew Caporillo

(Printed name of Party or their Representative)

Note: Completed receipt will be filed in the Civil Action